

REMARKS

Claims 1-21 remain pending. Claims 1 and 16 have been amended. Claims 22-28 have been added.

Claims 3-15 have been allowed by the Examiner. Applicant gratefully acknowledge the Examiner's indication of allowable subject matter.

Claims 20 and 21 are objected to by the Examiner, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant gratefully acknowledge the Examiner's indication of allowable subject matter. Accordingly, Claim 22 has been added to include the allowable subject matter of claims 16, 17, 18, and 20, and claim 23 has been added to include the allowable subject matter of claims 16, 19, and 21.

Claims 1, 2 and 16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Clusserath'487 (US Pat. 5,163,487).

Applicants respectfully traverse the rejection as follows.

Specifically, the Examiner alleges that "...a "first sterile region" is proximate reference element 16, and a "second sterile region" (i.e. the supply pipe portion surrounding the stem 12, considering the piping of the device is presterilized before use). Claim 1 sets forth, inter alia, "...a **continuously sterilized** second sterile region positioned proximate said first sterile

region..." Claim 16 sets forth, inter alia, "...providing a **continuously sterilized** second sterile region positioned proximate said first sterile region;..." Clusserath'487 fails to teach or suggest having a second sterile region that is continuously sterilized. Accordingly, Applicant respectfully submit that claims 1 and 16 and claims 2, and 17-19 which are dependent on claims 1 and 16, respectively, are allowable.

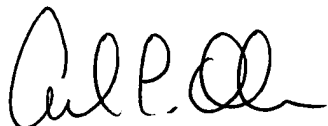
Further, with respect to claims 24-25, the prior does not teach or suggest the invention as claimed for use in an inline machine. For example, Clusserath'487 teaches a rotary machine. Such a rotary machine teaches away from the claimed invention. In particular, a rotary machine creates turbulence which is detrimental to the claimed filling operation in view of the variations in speed of the bottles during the filling operation. In order for smooth operation, the claimed invention preferably requires a laminar air flow for control of the sterile pressure of the atmosphere during bottle filling.

Furthermore, with respect to claims 26-28, Clusserath'487 requires contact of the nozzle with the bottle. Such contact may result in contamination from one bottle to the next. Also, the device of Clusserath'487 is used in e.g., the beer industry and requires sealing of the valve to the bottle during filling to alleviate foaming. The invention claimed in claims 26-28 do not require contact between the valve and the bottle and in fact are

not desired so as to reduce the possibility of contamination.

If the Examiner believes that any further discussion of the invention would be helpful, perhaps in the form of an Examiner's Amendment, Applicants' representative is available at (518) 220-1850, and earnestly solicits such discussion.

Respectfully submitted,



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